

March 15, 2002
25541 Barton Road
Loma Linda

1. Chair Beswick called the meeting to order at 9:07 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair
Fred Ameri, Vice-Chair
Jose Solorio
Seymour Van Gundy
John Withers
Joan Dotson
Karen Stein
William Ruh
John Withers

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Robert L. Holub, Supervising Water Resource Control Engineer
Joanne E. Schneider, Environmental Program Manager
Hope A. Smythe, Chief, Basin Planning Inland Waters
Wanda K. Smith, Chief, Basin Planning Coastal Waters
Jun Martinez, Chief, Regulations
Kevin P. Heinemann, Associate Information Systems Analyst
Barbara Laffoon, Secretary

Legal Counsel

Jorge Leon

Public Attendance

Jack Wamsley, City of Canyon Lake
Neal and Lori McNeal, Big Bear
Rod Cruze, City of Riverside
Joyce Clark, Metropolitan Water District
Mark Norton, SAWPA
Greg Woodside, Orange County Water District
Roger W. Turner, Eastern Municipal Water District
Don Williams, City of Corona
Christina Nguyen, University of California, Riverside
Jack Nelson, Yucaipa Valley Water District

2. Public Forum

(This item was heard following Item 4)

Neal McNeal, homeowner on Shay Road in Big Bear, addressed the Board regarding Cease & Desist Order 00-83, which called for compliance by October 2001. Mr. McNeal advised that the three remaining homeowners affected by the Order have been unwilling to comply, and he asked the Board to use their influence to assist in the effort. The Board requested that staff write a letter to the County of San Bernardino asking for their assistance.

3. Approval of minutes of the Special Meeting of January 18, 2002 and the Regular Meeting of January 23, 2002.

There being no additions or corrections, the minutes of the special meeting of January 18, 2002 and the regular board meeting held on January 23, 2002, were approved as presented.

4. Approval of Consent Calendar Items

Chair Beswick noted that item 5 had been postponed and items 7 and 8 had errata.

Item 5 - New Waste Discharge Requirements, Orange County Water District, Groundwater Cleanup, Forebay Volatile Organics Compound Project, Orange County – was postponed.
Order No. R8-2002-0003

Item 6 - New Waste Discharge Requirements, Big Bear Municipal Water District, San Bernardino County, (NPDES No. CA8000396) -
Order No. R8-2002-0028

Item 7 - Amendment of Waste Discharge Requirements, Yucaipa Valley Water District, Henry N. Wochholz Wastewater Treatment Facility, San Bernardino County (NPDES No. CA0105619) –
Order No. R8-2002-0017-A01

Item 8 - Renewal of Waste Discharge Requirements for Nuevo Energy Company, Platform "Eva", Orange County (NPDES No. CA 0106828)
Order No. R8-2002-0020

Action: It was moved by Member Van Gundy, seconded by Member Stein, and unanimously approved to adopt Order No. R8-2002-0028, Order No. R8-2002-0017-A01 with errata and Order No. R8-2002-0020 with errata.

9. Total Maximum Daily Loads (TMDLs)

Tom Howard, State Water Resources Control Board, discussed the rationale used in establishing the TMDL program as the number one priority for the State and regional boards. He outlined the scope of the project and the current lack of sufficient personnel due to the hiring freeze. Maintaining a full staff in the TMDL program may impact other programs for the present. Mr. Howard noted that many TMDLs need to be completed statewide.

10. Big Bear Total Maximum Daily Loads (TMDLs) Update

The background for the Big Bear TMDL was presented by Heather Boyd, Environmental Scientist, who discussed the physical location of the watershed, the beneficial uses, 303(d) listing, and the TMDL activities and timeline for all Big Bear Lake TMDLs.

The development of TMDLs was initiated in 2000 with Big Bear Municipal Water District assuming the lead role. They created a TMDL task force consisting of a number of local agencies and private interest groups.

The TMDLs are tentatively scheduled for consideration by the Board in January 2004 and for submittal to U.S. EPA in January 2005.

11. Vila Borba Update

Legal Counsel, Jorge Leon, explained that, due to current litigation, this item needed to be discussed in closed session. It was suggested that the Board consider this item last rather than inconvenience the public attendees.

12. 2001 Santa Ana River Sampling at Prado Dam

This was a written information item.

13. Nitrogen/Total Dissolved Solids (N/TDS) Workshop

Mark Norton, SAWPA, stated that the N/TDS Task Force had been created for the purpose of evaluating N/TDS in the watershed. Tim Moore, Risk Sciences, said this watershed has been working on wasteload allocations for 25 years or more, and is the world's largest reclaimed water project. The Task Force is charged with evaluating Basin Plan subbasin boundaries and the water quality objectives. With the full support and input of stakeholders, it is the goal of the Task Force to ask and answer all the relevant questions regarding any potential Basin Plan amendments, so that a proposed plan will be feasible and acceptable when presented to the Board for adoption.

The draft is anticipated by May 31, 2002. A waste load allocation should be completed by July 19, 2002, and a pre-hearing, hopefully, by November 2002.

14. Renewal of Waste Discharge Requirements, San Bernardino County Department of Public Works, County of San Bernardino and Incorporated Cities of San Bernardino County, Area-Wide Urban Storm Water Runoff Program (NPDES No. CAS618036) (Originally posted as 01-16) Order No. R8-2002-0012

This item was postponed.

15. Mandatory Penalties Complaint, Thrifty Oil Company, Orange County, Mandatory Penalties Complaint No. R8-2002-0022

The discharger paid the assessed penalties and waived their right to a hearing. No further Board action was required.

16. Mandatory Penalties Complaint, Thrifty Oil Company, Orange, Mandatory Penalties Complaint No. R8-2002-0023

The discharger paid the assessed penalties and waived their right to a hearing. No further Board action was required.

17. Mandatory Penalties Complaint, Haagen Company, LLC, Orange, Mandatory Penalties Complaint No. R8-2002-0021

This item was postponed.

18. Administrative Civil Liability Complaint, Golden Cheese Company of California, Corona, Riverside County, Administrative Civil Liability No. R8-2002-0025

This item was postponed.

19. Sewage Spill Incident Report

Staff provided the Board with a list of the hazardous waste and sewage spill incident reports since the January 23, 2002 Board meeting.

20. General Permits

Staff provided a list of all new permittees recently enrolled under the Region's general permits.

21. Executive Officer's Report

In addition to the written report, Executive Officer Thibeault mentioned that the Dairy Engineered Waste Management Plans were slow in coming. However, that was primarily due to the lack of engineers to create the plans for the dairies.

22. Regional Board Member Communications

Member Solorio said he was pleased with the positive results of the 2001 Santa Ana River Sampling at Prado Dam and felt that this was something that should be put into a letter to stakeholders and possibly the State media office. Mr. Solorio stated that the positive results were seldom acknowledged.

23. Closed Session

Legal Counsel Jorge Leon explained the necessity of discussing this item in closed session pursuant to Government Code Section 11126(e)(2)(c). He noted that the matter is currently the subject of petitions before the State Board, as well as a potential request to the Army Corps of Engineers for reevaluation, and felt any public discussion would reveal the Board's strategy in those administrative proceedings. Ryan Hiete of Musick, Peeler & Garrett LLP, counsel for the Vila Borba Project, registered written disagreement and requested that the Board take no action until his client could be heard.

The Board adjourned to closed session at 11:35 a.m.

Resume Open Meeting

The open meeting resumed at 12:00 p.m.

Staff is directed to send a letter to the Army Corps of Engineers requesting that they attend the April 26, 2002, Board meeting to explain their decision that led to the issuance of the 404 permit for the Vila Borba Project.

24. Adjournment

The meeting was adjourned at 12:01 p.m. to the regular meeting of April 26, 2002, at 9:00 a.m., at the City Council Chambers of Corona.

Respectfully submitted:



GERARD J. THIBEAULT
Executive Officer

/bjl